

**IN UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS**

**SHERMAN DIVISION**

**DATE: 5/16/2022**

**DISTRICT JUDGE**  
**Amos L. Mazzant, III**

**COURT REPORTER:** Chris Bickham  
**COURTROOM DEPUTY:** Keary Conrad

Gibson Brands, Inc., a Delaware corporation  v.  Armadillo Distribution Enterprises, Inc., Concordia Investment Partners, LLC  Does 1 through 10	4:19CV358
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<b>ATTORNEYS FOR PLAINTIFF</b>	<b>ATTORNEYS FOR DEFENDANT</b>
Stephen Dale Howen, Andrea Bates, Kurt Schuettinger, Keith Slyter, Paralegal: Amanda Slyter	Vic Henry, Anna B. Naydonov, Douglas Rettew, Elyse McNamara, Patrick Rodgers and Emileigh Hubbard

On this day, came the parties by their attorneys and the following proceedings were held in Sherman, TX:

<b>TIME:</b>	<b>MINUTES: Voir Dire, Jury Selection and Jury Trial - Day 1</b>
10:00 a.m.	Court in session. Court notes appearances.
10:01 a.m.	Judge addresses the panel.
10:11 a.m.	Plaintiff's counsel, Stephen Howen begins initial opening statement.
10:17 a.m.	Defendant's counsel, Vic Henry begins initial opening statement.
10:22 a.m.	Defendant's counsel, Vic Henry concludes initial opening statement.
10:22 a.m.	Judge addresses the panel.
10:28 a.m.	Plaintiffs' counsel and parties introduce themselves to the jury.
10:29 a.m.	Defendants' counsel and parties introduce themselves to the jury.
10:30 a.m.	Judge addresses the panel.
10:33 a.m.	Plaintiff's counsel, Stephen Howen begins voir dire.
11:26 a.m.	Plaintiff's counsel, Stephen Howen concludes voir dire.
11:27 a.m.	Defendant's counsel, Vic Henry begins voir dire.
12:17 p.m.	Defendant's counsel, Vic Henry concludes voir dire.

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12:20 p.m.	Court recess for strikes by counsel.
1:10 p.m.	Court re-convened. Jury seated.
1:12 p.m.	Jury placed under oath.
1:14 p.m.	Jury panel released.
1:14 p.m.	Jury released for lunch.
1:14 p.m.	Court hears argument from counsel regarding opening statement slides and demonstratives.
1:26 p.m.	Court orders Defendant to remove the slides for opening statement and the Court will look further into it.
1:35 p.m.	Parties discuss Defendant's slide 64. Court hears argument from counsel.
1:39 p.m.	Court hears argument from Defendant's counsel regarding witness Jim DeCola.
1:41 p.m.	Court recess for lunch.
2:33 p.m.,	Court re-convened. Jury seated.
2:35 p.m.	Court begins preliminary instructions to the jury.
2:52 p.m.	Plaintiff's counsel, Andrea Bates begins opening statement.
3:21 p.m.	Parties approach the bench on Defendant's counsel, Dave Rettew objection.
3:23 p.m.	Bench conference concluded.
3:23:08 p.m.	Plaintiff's counsel, Andrea Bates continues opening statement.
3:35:30 p.m.	Defendant's counsel, Dave Rettew begins opening statement.
4:22:28 p.m.	Defendant's counsel, Dace Rettew concludes opening statement.
4:22:29 p.m.	Bench conference by Court.
4:22:58 p.m.	Court conditionally admits all exhibits.
4:23:07 p.m.	Plaintiff's counsel, Stephen Howen calls witness, Jim DeCola. Witness placed under oath. Plaintiff's counsel, Stephen Howen begins direct examination of witness, Jim DeCola.
4:43 p.m.	Plaintiff's counsel, Stephen Howen refers witness, Jim DeCola to Plaintiff's Exhibits 1, 2, 4, 34, and 44.
5:01:14 p.m.	Plaintiff's counsel, Stephen Howen concludes questioning for the day.
5:01:37 p.m.	Jury excused.

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5:02 p.m.	Court hears argument from Plaintiff's counsel, Stephen Howen regarding disclosure objection by Defendant's counsel, Dave Rettew. Court hears response from Defendant's counsel, Dave Rettew. Court does not allow.
5:04 p.m.	Court hears argument from Plaintiff's counsel, Stephen Howen regarding the company representatives on depositions. Plaintiffs advise that they anticipate Plaintiffs case will end on Friday. Court will review.
5:06 p.m.	Defendant's counsel, Davce Rettew invokes the rule.
5:07 p.m.	Court adjourned.
	Plaintiff used: 1:17:10 Defendant used: 0:49:33 Total court time: 5:25

DAVID O'TOOLE, CLERK

BY: Keary Conrad  
Courtroom Deputy Clerk